

Before the
UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Leonardsville Post Office
Leonardsville, New York 13364

Docket No. A2011-51

PUBLIC REPRESENTATIVE'S REPLY COMMENTS

(November 1, 2011)

I. INTRODUCTION

This case addresses an appeal of the Postal Service's decision to close the Leonardsville, New York Post Office. The Commission accepted Kingsley D. Wratten's appeal of the Postal Service's decision and published notice thereof in the *Federal Register*.¹ Petitioner Kingsley filed a timely Participant's Statement on September 22, 2011. The Commission also accepted correspondence from Jean C. Davis and Cheryl C. Hammond as petitions in this docket.²

Leonardsville is located in Madison County, New York. Petitioner Wratten notes that the post office is historically important as one of the first to be established in former "Indian Territory" after the Revolution. He also describes the Leonardsville location as "a very snowy, 'lake-effect' area of central New York State." Participant Statement at 1-2.

¹ Commission Order No. 824, Notice and Order Accepting Appeal and Establishing Procedural Schedule, August 25, 2011 (Order No. 805) accepted the appeal of Kingsley Wratten. Order No. 825 appears at 76 FR 54266 (August 31, 2011).

² See separate letters dated September 16, 2011 from Commission Secretary Grove to Jean C. Davis and Cheryl C. Hammond, who lodged petitions with the Commission on August 8, 2011.

II. COMMISSION'S ROLE

The Commission's role in "A" cases is sometimes likened to that of an appellate court. The Commission is aware of its statutory role and of the applicable standards and law; therefore, the recitation at pages 6-7 of Part IV of the Reply Comments of the Public Representative in Docket No. A2011-37, Thayer, Iowa is incorporated by reference in this document.

III. CURRENT AND PROPOSED POSTAL OPERATIONS IN LEONARDSVILLE

Current operations. The Leonardsville Post Office is an EAS 11 office. Administrative Record/Docket No. A2011-51 (AR), Item No. 1. It has been managed by a noncareer temporary Officer in Charge (OIC) since the Postmaster's retirement on July 30, 2009. *Id.* Recent revenue appears in the following table.

Table 1
Leonardsville Post Office Revenue

FY 2008	\$29,123 (70 revenue units)
FY 2009	\$30,256 (79 revenue units)
FY 2010	\$28,397 (74 revenue units)

There are 136 post office box customers. AR Item No. 13. There are no city delivery, meter or permit customers, nor any rural route or highway contract route operations. *Id.*

Proposed operations. The Postal Service has decided to provide Leonardsville residents with rural route service originating out of Bridgewater, which has an EAS 13 post office. *Id.*, Item No. 1.

III. ASSESSMENT OF “THE INTERESTS OF THE GENERAL PUBLIC” IN THIS CASE

Review of the Administrative Record indicates that the Postal Service has complied with applicable notice requirements. See *generally* AR Item Nos. 32 and 33. This is consistent with the interests of the general public in timely and accurate notice of governmental actions that affect them. However, there are two issues that bear on “the interests of the general public” related to the closing’s effect on the community. They are:

- whether the Postal Service “considered” customers’ inquiries about an alternative to closing that would involve reduced operations at the Leonardsville Post Office or resource-sharing among two or more post offices;
- whether the Postal Service “considered” patron-supplied information added to the Administrative Record concerning potential new businesses, or instead simply relied on its initial assessment of minimal growth based on use of a poor proxy.

IV. DISCUSSION

A. Was Evidence of Potential Growth Considered, and if so, How?

Petitioner Wratten provides a compelling description of the history of Leonardsville in his Participant Statement. See Participant Statement (Wratten) at 1. He also paints a promising future for the community, and ties this future to the continued existence of a local post office. He says:

Despite the bold statement made by USPS that 'The growth of a community does not depend on the location of a Post Office,' the residents of Leonardsville consider the post office to be an important component of the area's economic recovery. It would be very discouraging for local businesses, which have been struggling to revitalize the area, if they suddenly had to budget time and money to drive 10 miles each day for their mail. One potential business, a medical billing company, already decided to locate elsewhere based on the possibility of the post office closure. Another developing business, an artists' residency program, which relies heavily on certified postmarked applications, recommendations, and shipment of work samples, has contacted similar programs elsewhere and, by comparing figures of postal expenditures, believes that their business alone might double the revenue of our post office within two years. These are considerations were not taken into account by the Postal Service because potential earnings were not part of their criterion; they only considered evidence of losses.

Participant Statement (Wratten) at 1. See *also* AR.

While Petitioner Wratten emphasizes the shortcomings of the Postal Service's economic savings, his statement also pertains to the accuracy of the Postal Service's conclusion that there will be minimal growth. This was based on reference to the community of West Edmeston, apparently because no data was readily available from commercial sources for Leonardsville. This may have been the best available information when the Postal Service started its review of Leonardsville operations. However, the community meeting, Petitioner Wratten's Participant Statement, and comments from others clearly point to fresher information showing growth potential not only for Leonardsville, but for postal business as well.

B. Effect on the Community — Alternatives to Wholesale Closing

Petitioner Davis poses the possibility of fewer hours or days of service as an alternative to closing the Leonardsville office.³ She asks: “Rather than close offices, would a reduction in hours of operation or 2 or 3 offices sharing a Postmaster lead to a better *long-term* solution for everyone?” Davis Petition at 1(emphasis in original).

The Postal Service may have valid reasons for not offering this option; however, these reasons do not appear to have been shared with Petitioner Davis or with other patrons. At best, a review of Part 1, Responsiveness to Community Postal Needs, following the Proposal to Close the Leonardsville, NY Post Office and Extend Service by Rural Route Service in the AR, provides this response to a similar inquiry (identified as Concern No. 5):

Concern: Customer suggested it's likely more people would use the facility if window hours were changed for earlier and later periods each day. This could be done on alternate days, reducing overall daily postal hours to save costs.

Response: The customer [suggestion] has been duly noted and added to the official record.

What is not clear is why the Postal Service does not provide a direct response to this question.

³ An inquiry about reduced hours or days as an alternative to closing was also raised by a respondent to the questionnaire in the Francitas Texas Post office case (Docket No. A2011-47).

V. CONCLUSION

Review of the Administrative Record leaves two impressions. One is that the Postal Service has taken pains to follow basic, but important, procedures, such as posting notices in a timely fashion and holding a community meeting. The other is that the Postal Service has developed answers to predictable questions (which is understandable), and is adept at including these in the record. However, when a question or concern does not neatly fit into the stock repertoire, a response is shoehorned into the record or essentially ignored.

In this case, the record before the ultimate decisionmaker showed that there was new and seemingly better information specific to Leonardsville to replace the proxy data from West Edmeston, which is now itself a docketed proceeding at the Commission (Docket No. 2012-41). (What's more, the West Edmeston petition alleges inaccurate information about the community's population.)

The Commission is to evaluate the Postal Service's Final Determination to close a post office on the record that was before decisionmakers at the Postal Service. In this case, the original evidence in the record was provided by a Postal Service employee who used a proxy (West Edmeston) for information on Leonardsville. Petitioner Wratten and others have usefully provided extensive information on anticipated growth in Leonardsville stemming, in part, from active local interest in promoting the community. This would likely boost revenues, and lead to a better revenue profile for the Leonardsville Post Office.

It is not clear from the Administrative Record whether the Postal Service actually considered this patron-supplied information. Moreover, if the Postal Service did consider it, the record does not indicate how this influenced its decision. He or she may have reached the same conclusion (to close), but patrons have not been provided with the reasoning. Instead, they are left with impression that their submissions have fallen on deaf ears, and that the closing was a forgone conclusion.

The absence of record information on these points casts doubt on whether the Postal Service “considered” the effect on the community. This could justify a remand, allowing the Postal Service to consider “atypical” record information and provide a tailored response. If the Commission elects not to remand the case, it would be appropriate to encourage the Postal Service to address community-specific questions that fall outside the typical template.

Respectfully submitted,

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